



Practitioner's Docket No.: 205\_097

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

August 24, 2005

In re the application of:

Noah Montena and Michael T. Fox

Confirmation No.: 2797

Serial No.: 10/781,376

Art Unit: 2839

Filed: 02/18/2004

Examiner: Dinh, Phuong K.

For: CABLE CONNECTOR WITH ELASTOMERIC BAND

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express mail, Express Mail Label No. EV554214201US addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 24, 2005.

*Jill E. Brunet*  
Jill E. Brunet

DECLARATION OF PRIOR INVENTION IN THE UNITED STATES  
OR IN A NAFTA OR WTO MEMBER COUNTRY  
TO OVERCOME CITED PATENT OR PUBLICATION (37 C.F.R. § 1.131)

PURPOSE OF DECLARATION

1. This declaration is to establish completion of the invention of this application in
- ☒ the United States
  - ☐ the NAFTA country \_\_\_\_\_ (name of country)
  - ☐ the WIPO country \_\_\_\_\_ (name of country)
- at a date prior to November 13, 2003, that is the effective date of the prior art
- ☐ publication \_\_\_\_\_
  - ☒ patent U.S. Patent 6,767,248 to Hung
  - ☐ patent publication \_\_\_\_\_
  - ☐ other \_\_\_\_\_

that was cited by the

- ☒ examiner.
- ☐ applicant.

2. The person making this declaration is (are):

- ☒ the inventor(s).
- ☐ only some of the joint inventor(s) (and a suitable excuse is attached for failure of the omitted joint inventor(s) to sign).
- ☐ the party in interest (and a suitable explanation as why it is not possible to produce the declaration of the inventor(s) is attached).

### FACTS AND DOCUMENTARY EVIDENCE

3. To establish the date of completion of the invention of this application, the following attached documents and/or models are submitted as evidence:

*(check all applicable items below)*

- ☒ sketches
- ☐ blueprints
- ☐ photographs
- ☐ reproduction(s) of notebook entries
- ☒ model (computer based)
- ☐ supporting statement(s) by witness(es) (where verbal disclosures are the evidence relied upon)
- ☐ interference testimony
- ☒ disclosure documents

4. From these documents and/or models, it can be seen that the invention in this application was made

- ☐ on \_\_\_\_\_.
- ☒ at least by the date of October 1, 2003, which is a date earlier than the effective date of the reference.

### DILIGENCE

5. Attached is a statement establishing the diligence of the applicants, from the time of their conception, to a time just prior to the date of the reference, up to the:

- ☒ actual reduction to practice.
- ☐ filing of this application.

### TIME OF PRESENTATION OF THE DECLARATION

*(complete (a), (b) or (c))*

- (a) ☒ This declaration is submitted prior to final rejection.
- (b) ☐ This declaration is submitted with the first response after final rejection, and is for the purpose of overcoming a new ground of rejection or requirement made in the final rejection.
- (c) ☐ This declaration is submitted after final rejection. A showing under 37 C.F.R. § 1.116(b) is submitted herewith.

### DECLARATION

6. As a person signing below:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

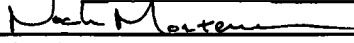
Serial No.: 10/781,376  
Atty. Docket No.: 205\_097

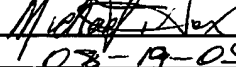
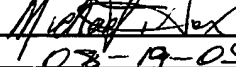
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### SIGNATURES

7.

**A. Inventors**

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